

Amendment and Response

Applicant: Michael Whitmarsh et al.

Serial No.: 09/710,368

Filed: November 10, 2000

Docket No.: 10003975-1

Title: PRINT PROCESSING SYSTEM AND METHOD WITH IMAGE ADVISOR SERVICE**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed June 29, 2005, in which claims 1-6, 9-11, 13-20, and 23-25 were rejected. With this Amendment, claims 1 and 14 have been amended to clarify Applicant's invention. Claims 1-6, 9-11, 13-20, and 23-25 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Claims 1 and 14 are objected to because of informalities. More specifically, the Examiner has objected to the phrase "based on the image" as recited in claims 1 and 14.

With this Amendment, claims 1 and 14 have been amended to clarify that an appropriate application for the image is "based, in part, on the image." As the appropriate application for the image is determined by comparing an image characteristic of the image with one of a specified application and a specified printing option for the image, Applicant submits that the appropriate application for the image is "based, in part, on the image."

Applicant, therefore, respectfully requests that the objection to claims 1 and 14 be reconsidered and withdrawn, and that claims 1 and 14 be allowed.

Claim Rejections under 35 U.S.C. § 112

Claims 1 and 14 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner is unclear as to whether "specified application" and "appropriate application" are the same or different.

With this Amendment, claims 1 and 14 have each been amended to clarify that the print request identifies one of a specified application and a specified printing option including at least one of a print medium size and a print medium type for the image. As such, the "specified application" includes an application for the image as specified or identified in the print request (see also Specification page 7, lines 1-16). The "appropriate application" for the image, however, is determined by comparing an image characteristic of the image with the one of the specified application and the specified printing option for the image (see also Specification page 7, line 17 - page 9, line 14). Accordingly, Applicant submits that it is

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clear in claims 1 and 14 that the "specified application" and the "appropriate application" are different.

Applicant, therefore, respectfully requests that the rejection of claims 1 and 14 under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn and that claims 1 and 14 be allowed.

Claim Rejections under 35 U.S.C. § 102

Claims 1-6, 9-11, 13-20, and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumberg et al. U.S. Publication No. 2003/0140315.

With this Amendment, independent claim 1 has been amended to clarify that the print request identifies one of a specified application and a specified printing option including at least one of a print medium size and a print medium type for the image, and to clarify that the method includes determining an appropriate application for the image with the print processing system controller based, in part, on the image, with determining the appropriate application including processing the print request and the data file for the image by the print processing system controller to detect an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of the image and detect the one of the specified application and the specified printing option for the image, and including comparing the image characteristic and the one of the specified application and the specified printing option to determine the appropriate application for the image.

In addition, independent claim 14 has been amended to clarify that the print request identifies one of a specified application and a specified printing option including at least one of a print medium size and a print medium type for the image, to clarify that the print processing system controller is adapted to process the print request and the data file to determine an appropriate application for the image based, in part, on the image, and to clarify that the print processing system controller is adapted to detect an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of the image, and compare the image characteristic and the one of the specified application and the specified printing option to determine the appropriate application for the image.

With respect to the Blumberg et al. publication, this publication does not teach or suggest a method of processing an image, as claimed in independent claim 1, nor a system for

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processing an image, as claimed in independent claim 14. For example, the service of the Blumberg et al. publication includes a user interface that enables a user to select finishing options for a document and interactively displays a proof of how the finished document will look when the user's selected finishing options are applied (para. [0030]). The service of the Blumberg et al. publication, however, does not detect an image characteristic including at least one of a print resolution, a bit depth, a size, a file size, and a quality of an image, and compare the image characteristic and one of a specified application and a specified printing option for the image to determine an appropriate application for the image. Rather, the service of the Blumberg et al. publication simply displays a document with finishing options as selected by the user. Furthermore, the service of the Blumberg et al. publication does not determine whether the finishing options selected by the user are appropriate for the document.

In view of the above, Applicant submits that independent claims 1 and 14 are each patentably distinct from the Blumberg et al. publication and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 2-6, 9-11, and 13 further define patentably distinct claim 1 and dependent claims 15-20 and 23-25 further define patentably distinct claim 14, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-6, 9-11, 13-20, and 23-25 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 1-6, 9-11, 13-20, and 23-25 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1-6, 9-11, 13-20, and 23-25 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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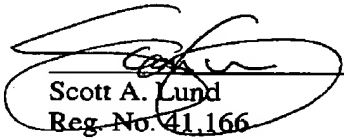
Respectfully submitted,

Michael Whitmarsh et al.,

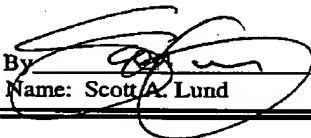
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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 19TH day of September, 2005.

By 
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